IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4364 of 2005

Between:

T. Sanjeeva Reddy S/o Buchi Reddy
R/o H. No. 48-104, Ganesh Nagar, Chintal Qutubullapur Municipality, Ranga Reddy District

..... PETITIONER

AND

1 The Collector, Ranga Reddy District, at Lakdikapool, Hyderabad
2 The Sub-Registrar, Sub-Registrar Office, Medchal, Ranga Reddy District

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandmaus declaring the action of the Respondent No.2 in not accepting the registration of document in respect of Plot No. 278-B admeasuring 528.00 Sq.Yaards comprised in Survey No. 227/1 of Bahadurpally Village, Qutubullapur Mandal, Ranga Reddy district covered by Registered Sale Deed document No. 13441 of 2004 dated 15-9-2004 of respondent No.2 office as arbitrary, illegal, and ultravires of the Registration Act, and consequently direct the respondents herein to register the document of the petitioner for registration of the open plot No. 278-B, admeasuring 528.00 Sq.Yards in Survey No. 227/1, situated at Bahadurpally village of Qutubullapur amandal, Ranga Reddy District and pass such other order or orders as this Hon'ble Court deem fit and proper.

Counsel for the Petitioner:MR.A.SATYANARAYANA REDDY

Counsel for the Respondents: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORDER:

Petitioner challenges the circular, dated 06.02.2001, issued by the Collector, Ranga Reddy District, instructing the Mandal Revenue Officers not to issue 'No Objection Certificates' for the purpose of registration and allied purposes of the lands in their respective jurisdictions. He contends that it is only the Government that can issue a notification, in exercise of powers under Section 22-A of the Registration Act (for short 'the Act'), prohibiting such registrations, and the impugned circular had the effect of preventing registrations contrary to the procedure prescribed by law.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

On receiving instructions, the learned Government Pleader had placed before this Court a copy of G.O.Ms.No.281, dated 09.03.2005, issued by the Government, in relation to certain lands in Bahadurpally Village. The writ petition relates to the lands in Sy.No.227/1 of Bahadurpally Village. The same is not included in the notification.

In W.P.No.1953 of 2002, this Court held that in the absence of notification under Section 22-A of the Act, the authorities cannot refuse to entertain the documents for registration

Following the same, the writ petition is allowed and the respondents are directed to consider the documents presented by the petitioner, in accordance with law, and take appropriate steps without taking into account the circular dated 06.02.2001. There shall be no order as to costs.

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(L.NARASIMHA REDDY,J)

Date: 11-03-2005

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To

1 The Collector, Ranga Reddy District, at Lakdikapool, Hyderabad
2 The Sub-Registrar, Sub-Registrar Office, Medchal, Ranga Reddy District

4 2 CCS to the G.P. for Revenue, High Court of A.P., Hyderabad.

5 2 CD copies.